

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

HELLAS TELECOMMUNICATIONS
(LUXEMBOURG) II SCA

Debtor in a Foreign Proceeding

ANDREW LAWRENCE HOSKING and SIMON
JAMES BONNEY, in their capacity as joint
compulsory liquidators and duly authorized foreign
representatives of HELLAS
TELECOMMUNICATIONS (LUXEMBOURG) II
S.C.A.,

Plaintiffs,

-against-

TPG CAPITAL MANAGEMENT, L.P., *et al.*,

Defendants.

Chapter 15

Case No. 12-10631 (MG)

Adversary Proceeding
No. 14-01848 (MG)

**NOTICE OF APPEAL FROM ORDER DENYING MOTION FOR AN
ORDER (A) TERMINATING RECOGNITION ORDER AND (B) DISMISSING
THIS CHAPTER 15 CASE AND THIS ADVERSARY PROCEEDING**

TPG Capital Management, L.P. (“TPG Capital”), David Bonderman (“Bonderman”),
James Coulter (“Coulter”), TPG Capital, LLP (“TPG London”), TPG Advisors IV, Inc., TPG
Genpar IV, L.P., TPG Partners IV, L.P. (the “TPG IV Defendants”), T³ Advisors II, Inc., T³
GenPar II, L.P., T³ Partners II, L.P., and T³ Parallel II, L.P. (the “T³ II Defendants” and,
collectively with TPG Capital, Bonderman, Coulter, TPG London, and the TPG IV Defendants,
the “TPG Defendants”), Apax Partners LLP (“Apax Partners”), Martin Halusa (“Halusa”), Apax
Partners, L.P. (“Apax Partners, L.P.”), Apax WW Nominees Ltd. (“Apax WW Nominees”),
Apax Partners Europe Managers Ltd. (“Apax Managers”), Apax Europe VI GP Co. Ltd., Apax

Europe VI GP, L.P., Apax Europe VI-A, L.P., Apax Europe VI-1, L.P. (the “Apax Europe VI Defendants” and, collectively with Apax Partners, Apax Partners, L.P., Halusa, Apax WW Nominees, and Apax Managers, the “Apax Defendants”), TCW/Crescent Mezzanine Partners III Netherlands, L.P., a/k/a TCW/Crescent Mezzanine Partners Netherlands III, L.P. (“TCW Netherlands III”), TCW/Crescent Mezzanine Partners III, L.P., a/k/a TCW/Crescent Mezzanine Fund III, L.P. (“TCW Partners III”), TCW/Crescent Mezzanine Trust III (“TCW Trust III”), TCW/Crescent Mezzanine III, LLC (“TCW Mezzanine III”), TCW Asset Management Company (“TCW Asset Management”), and TCW Group Inc. (“TCW Group” and, collectively with TCW Netherlands III, TCW Partners III, TCW Trust III, TCW Mezzanine III, and TCW Asset Management, the “TCW Defendants”), hereby appeal under 28 U.S.C. § 158(a) and Fed. R. Bankr. P. 8002 and 8003, from the *Order Denying Motion for an Order (A) Terminating Recognition Order and (B) Dismissing this Chapter 15 Case and this Adversary Proceeding* [Ch. 15 Docket No. 34] [Adv. Proc. Docket No. 128] (the “Order”), entered in the above-captioned Chapter 15 Case and Adversary Proceeding on December 22, 2014, denying the *Motion of TPG Defendants, Apax Defendants, TCW Defendants and Nikesh Arora for an Order (A) Terminating Recognition Order and (B) Dismissing this Chapter 15 Case and this Adversary Proceeding* [Ch. 15 Docket No. 25]. The parties to the Order appealed from and the names, addresses and telephone numbers of their respective attorneys are as follows:

APPELLANTS

Counsel for the TPG Defendants

KASOWITZ, BENSON, TORRES & FRIEDMAN LLP
Paul M. O'Connor III, Esq.
Andrew K. Glenn, Esq.
1633 Broadway
New York, New York 10019
Tel. No. (212) 506-1700

Counsel for the Apax Defendants

ROPES & GRAY LLP
Robert S. Fischler, Esq.
Stephen Moeller-Sally, Esq.
1211 Avenue of the Americas
New York, New York 10036
Tel. No. (212) 596-9000

Counsel for the TCW Defendants

LATHAM & WATKINS LLP
Wayne S. Flick, Esq.
Amy C. Quartarolo, Esq.
355 South Grand Avenue
Los Angeles, California 90071-1560
Tel. No. (213) 485-1234

DEBTOR

**Counsel for the Foreign Representatives of the Chapter 15 Debtor
as Against all Defendants Except Deutsch Bank AG and Nikesh Arora**

CHADBOURNE & PARKE LLP
Howard Seife, Esq.
Thomas J. McCormack, Esq.
Andrew Rosenblatt, Esq.
Marc D. Ashley, Esq.
30 Rockefeller Plaza
New York, New York 10112
Tel. No. (212) 408-5100

**Counsel for the Foreign Representatives of the Chapter 15 Debtor
as Against Deutsch Bank AG and Nikesh Arora**

WOLF HALDENSTEIN ADLER FREEMAN & HERZ LLP
Alexander H. Schmidt, Esq.
Alan McDowell, Esq.
Jeremy Cohen, Esq.
270 Madison Avenue
New York, New York 10016
Tel. No. (212) 545-4600

OTHER PARTIES TO ORDER APPEALED FROM

Counsel for Nikesh Arora

TORYS LLP
William F. Gray, Jr., Esq.
Alison D. Bauer, Esq.
1114 Avenue of the Americas, 23rd Floor
New York, New York 10036
Tel. No. (212) 880-6000

-and -

STUBBS ALDERTON & MARKILES, LLP
Michael A. Sherman, Esq.
15260 Ventura Boulevard, 20th Floor
Sherman Oaks, California 91403
Tel. No. (818) 444-4528

OTHER PARTIES TO THE ADVERSARY PROCEEDING

Counsel for Deutsche Bank AG

CAHILL GORDON & REINDEL LLP
Charles A. Gilman, Esq.
Kevin J. Burke, Esq.
Philip V. Tisne, Esq.
80 Pine Street
New York, New York 10005-1772
Tel. No. (212) 701-3000

Dated: January 5, 2015
New York, New York

By: /s/ Paul M. O'Connor III

Paul M. O'Connor III
(poconnor@kasowitz.com)
Andrew K. Glenn
(aglenn@kasowitz.com)
KASOWITZ, BENSON, TORRES
& FRIEDMAN LLP
1633 Broadway
New York, New York 10016
Telephone: (212) 506-1700
Facsimile: (212) 506-1800

Counsel for the TPG Defendants

By: /s/ Stephen Moeller-Sally

Robert S. Fischler
(robert.fischler@ropesgray.com)
Stephen Moeller-Sally
(ssally@ropesgray.com)
ROPES & GRAY LLP
1211 Avenue of the Americas
New York, New York 10036
Telephone: (212) 596-9000
Facsimile: (212) 596-9090

Counsel for the Apax Defendants

By: /s/ Wayne S. Flick

Wayne S. Flick
(wayne.s.flick@lw.com)
Amy C. Quartarolo
(amy.quartarolo@lw.com)
LATHAM & WATKINS LLP
355 South Grand Avenue
Los Angeles, California 90071-1560
Telephone: (213) 485-1234
Facsimile: (213) 891-8763

Counsel for the TCW Defendants

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

HELLAS TELECOMMUNICATIONS
(LUXEMBOURG) II SCA,

Debtor in a Foreign Proceeding.

ANDREW LAWRENCE HOSKING and SIMON JAMES
BONNEY, in their capacity as joint compulsory liquidators
and duly authorized foreign representatives of HELLAS
TELECOMMUNICATIONS (LUXEMBOURG) II SCA,

Plaintiffs,

-against-

TPG CAPITAL MANAGEMENT, L.P., *et al.*,

Defendants.

Chapter 15

Case No. 12-10631 (MG)

Adv. Pro. No. 14-01848 (MG)

**ORDER DENYING MOTION FOR AN ORDER (A) TERMINATING RECOGNITION
ORDER AND (B) DISMISSING THIS CHAPTER 15 CASE
AND THIS ADVERSARY PROCEEDING**

Upon the *Motion of TPG Defendants, Apax Defendants, TCW Defendants and Nikesh Arora for an Order (A) Terminating Recognition Order and (B) Dismissing this Chapter 15 Case and this Adversary Proceeding* (the “Motion,” ECF Doc. # 25);¹ and the foreign representatives having filed an objection to the Motion (the “Objection,” ECF Doc. # 29); and the movants having filed a reply to the Objection (ECF Doc. # 30); and the Court having held a hearing on the Motion on December 3, 2014 (the “Hearing”);

NOW, THEREFORE, it is hereby

ORDERED that the Motion is denied for the reasons stated on the record at the Hearing.

¹ All references to “ECF Doc. # ___” are to documents filed on the docket of Case No. 12-10631.

IT IS SO ORDERED.

Dated: December 22, 2014
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge